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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AMERICAN CIVIL LIBERTIES UNION, and
AMERICAN CIVIL LIBERTIES UNION
FOUNDATION,

Plaintiffs,

v.

NATIONAL SECURITY AGENCY,
CENTRAL INTELLIGENCE AGENCY,
DEPARTMENT OF DEFENSE,
DEPARTMENT OF JUSTICE, and
DEPARTMENT OF STATE,

Defendants.

No. 13 Civ. 9198 (AT)

NOTICE OF MOTION

PLEASE TAKE NOTICE that, upon (i) the accompanying memorandum of law, (ii) the declarations of Christina Butler, Paul P. Colborn, John F. Hackett, David M. Hardy, Arthur R. Sepeta, David J. Sherman, Antoinette B. Shiner, Alesia Y. Williams, and John Bradford Wiegmann, and the exhibits annexed thereto, and (iii) a classified *ex parte*, *in camera* declaration of David J. Sherman that will be transmitted to Judge Torres's chambers as soon as logistical arrangements can be made, defendants, by their attorney, Preet Bharara, United States Attorney

for the Southern District of New York, hereby move this Court for partial summary judgment, pursuant to Federal Rule of Civil Procedure 56.

PLEASE TAKE FURTHER NOTICE that pursuant to the Court's operative scheduling order (Dkt. No. 57), plaintiffs' cross-motion and opposition to defendants' motion shall be filed no later than April 20, 2016; defendants' reply and opposition to plaintiffs' cross-motion shall be filed no later than May 18, 2016; and plaintiffs' reply in support of their cross-motion shall be filed no later than June 8, 2016.

Dated: New York, New York
February 26, 2016

PREET BHARARA
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